

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**
Criminal No.: 21-cr-108 (PAM/TNL) (3)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.)	
)	
J ALEXANDER KUENG,)	
)	
Defendant.)	
)	
)	

**DEFENDANT’S PRETRIAL MOTION
FOR PRETRIAL DISCLOSURE
OF RULE 404 EVIDENCE**

The Defendant, J Alexander Kueng, by and through the undersigned attorney moves the Court for entry of an order directing the government to immediately disclose any "bad act" or "similar course of conduct" evidence it intends to offer at trial pursuant to Rule 404 of the Federal Rules of Evidence, and further directing the government to identify the witnesses through whom such evidence will be presented at trial. This request is necessary to:

1. Pretrial disclosure would prevent any judicial surprise at trial;
2. Pretrial disclosure would allow Defendant’s counsel to adequately prepare to meet the issues to be presented at trial;
3. Pretrial disclosure would allow Defendant the opportunity to timely seek exclusion of such prejudicial and non-relevant evidence;
4. The government should not be permitted to conceal, until trial, particular crimes or acts it intends to offer in evidence in its case in chief.

This Motion is based upon all the files, records, and proceedings herein.

Respectfully submitted,

Dated: August 2, 2021

/s/ Thomas C. Plunkett

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